

**MINUTES OF THE REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
AUGUST 18, 2010**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday August 18, 2010, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor William J. Schmitt called the meeting to order at 7:00 p.m.

**Roll Call.**

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance; therefore, there was a quorum for the meeting.

**Pledge.** Mayor Schmitt invited those present to join him in reciting the Pledge of Allegiance.

**Approval of the Minutes:**

The following minutes were distributed to and examined by the Council:

1. July 21, 2010, 6:20 p.m. public hearing to vacate a public utility easement in the Hopf and Dick First Addition
2. July 21, 2010 6:30 p.m. public hearing concerning the updated Comprehensive Plan and the regular council meeting for July
3. August 9, 2010 6:00 p.m. public hearing to provide citizens an opportunity to express their views on the proposed federally funded CDBG wastewater improvement project

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Kevin Manley to approve the minutes as published. Motion carried 7-0.

**Utility Service Board.** General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly meeting of the Utility Service Board held on August 16, 2010. Copies of the minutes are supplied to each councilmember.

**Joint Executive Sessions.** City Attorney Sandra Hemmerlein said the Electric Committee reviewed the power plant proposals and recommended a joint executive session with the Common Council and the Utility Service Board on August 24<sup>th</sup> at 1:00 p.m. to review the four proposals in depth.

The Committee also recommended an all-day joint executive session on September 13<sup>th</sup> to interview the four companies that submitted a proposal for this project.

Hemmerlein said the Utility Service Board agreed to the dates. She asked the council members if the sessions should be scheduled.

A **motion** was made by Council member David Prechtel and seconded by Council member Ray Howard to concur with the Utility Service Board's decision to set joint Utility Service Board and the Common Council executive sessions regarding the power plant proposals. Motion carried 7-0.

**Jasper Community Arts Commission Appointment.** Mayor Schmitt said Greg Stoner resigned from the Jasper Community Arts Commission and the Council needs to appoint a replacement for the balance of his term which covers the period August 19, 2010 to December 31, 2010. Kara Bodle has agreed to accept the appointment.

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Thomas Schmidt to make the appointment. Motion carried 7-0.

**ORDINANCE NO. 2010-16 AN ORDINANCE AMENDING ORDINANCE NO. 2004-44, ENTITLED 'AN ORDINANCE CONCERNING CONSTRUCTION SITE STORM WATER RUNOFF CONTROL'**

This ordinance amends Ordinance No. 2004-44 to add second violation notification language to the violations and penalties section of the construction site storm water runoff control ordinance.

A motion was made by Council member Randy Buchta and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Thomas Schmidt to have the ordinance read by title only. Motion carried 7-0. The ordinance was so read. Thereafter, a motion was made by Council member Ray Howard and seconded by Council member Randy Buchta to pass an adopt Ordinance No. 2010-16. Motion carried 7-0.

Under discussion, City Attorney Sandra Hemmerlein said the recommendation for amending the ordinance comes from the Storm Water Management Board. She said under the violations and penalties section of the ordinance the following language is being added to the Second violation ---

*.... or that the condition or conditions constituting the first violation have reoccurred within ninety (90) days of the previous violation.*

The following language is being added to the Third violation ----  
*....or the condition or conditions constituting the second violation have  
reoccurred within ninety (90) days of the previous violation.*

**ORDINANCE NO. 2010-17 AN ORDINANCE AMENDING ORDINANCE  
NO. 2002-43, ENTITLED ‘AN ORDINANCE ESTABLISHING FEES FOR  
RENTAL AND ASSOCIATED COSTS OF THE JASPER ARTS CENTER  
AND FEES FOR PARTICIPATION IN JASPER ARTS CENTER  
PROGRAMS’**

This ordinance amends Ordinance No. 2002-43 to update the fee schedule for the Jasper Arts Center.

A motion was made by Council member Ambrose ‘Butch’ Schitter and seconded by Council member Kevin Manley to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to have the ordinance read by title only. Motion carried 7-0. The ordinance was so read. Thereafter, a motion was made by Council member Randy Buchta and seconded by Council member Ambrose ‘Butch’ Schitter to pass and adopt Ordinance No. 2010-17. Motion carried 7-0.

Under discussion, City Attorney Sandra Hemmerlein said the recommendation to amend this ordinance comes from the Jasper Community Arts Commission. The current rates were set in 1995. The proposed rates show an increase of about five percent (5%) over the rates that were set about fifteen years ago. She said the ordinance defines what is “all day” and adds a fee when an event goes beyond its contracted rental time period. Hemmerlein then went over the proposed changes.

Council member David Prechtel asked how the rates compare to other areas, such as Evansville. Arts Director Kit Miracle said the fees are very conservative.

**Reminder.** Mayor Schmitt said a public hearing will be held during the August 24, 2010 Board of Public Works and Safety meeting about the increase in price for trash stickers.

**ADJOURNMENT.** There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Randy Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 7:45 p.m.

The minutes were hereby approved \_\_\_\_ with   X   without corrections or  
clarification this 22<sup>nd</sup> day of September, 2010.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary